

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS,

Plaintiff,

v.

MERRICK GARLAND, *et al.*,

Defendants.

No. 5:23-cv-34-H

**TEXAS'S MOTION TO EXCLUDE DEFENDANTS' EXHIBITS 2, 3, 4, 7, 8,
11, AND 15**

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

**DEFENDANTS'
EXHIBIT**

DX-007

STATE OF TEXAS,

Plaintiff,

v.

MERRICK GARLAND, in his official capacity as
Attorney General, *et al.*,

Defendants.

Case No. 5:23-cv-00034-H

DECLARATION OF SEAN C. DANDRIDGE

I, Sean C. Dandridge, declare the following under 28 U.S.C. § 1746, and state under the penalty of perjury the following is true and correct to the best of my knowledge and belief:

1. I am currently employed by the U.S. Department of Homeland Security (“DHS”), U.S. Immigration and Customs Enforcement (“ICE”), Enforcement and Removal Operations (“ERO”), as the Acting Deputy Assistant Director of the Alternatives to Detention Unit in the Non-Detained Management Division. I make this declaration in my official capacity, based on my personal knowledge and upon information that has been provided to me in the course of my official duties.

2. I began my law enforcement career in 2009 as an Immigration Enforcement Agent with ICE in San Diego. Since then, I have held various positions within ICE, including Detention and Deportation Officer, Supervisory Detention and Deportation Officer, and Unit Chief.

3. ICE’s Alternatives to Detention (“ATD”) programs allow eligible non-detained noncitizens to remain in their communities pending the outcome of their immigration cases. These programs are flight-mitigation programs that use case management tools in combination with

monitoring (sometimes electronic) to ensure enrollees comply with their release conditions, such as attending immigration court or complying with removal orders.

4. ICE ERO currently oversees and manages two ATD programs: the Young Adult Case Management Program (“YACMP”) and the primary ATD program, the Intensive Supervision Appearance Program (“ISAP”). ICE ERO has sole and complete oversight over both YACMP and ISAP.

5. DHS’s Office for Civil Rights and Civil Liberties (“CRCL”) oversees and operates the Case Management Pilot Program (“CMPP”). Unlike the YACMP and ISAP, ICE ERO does not have any oversight over CMPP. ICE ERO’s involvement in CMPP is limited to providing CRCL with a list of potential participants from which CRCL draws to enroll individuals in the program. All individuals enrolled in ISAP are eligible to be included unless they affirmatively opt out of CMPP. Individuals in ICE ERO custody are not eligible for CMPP. To date, no individuals who have previously been in ICE ERO custody or enrolled in YACMP have participated in CMPP.

6. Although ICE ERO does not oversee CMPP, CMPP participants’ immigration cases remain under ICE ERO supervision. CMPP participants are still required to adhere to ICE check-in requirements like all other individuals on the non-detained docket.

7. No individuals are released from ICE ERO custody pursuant to CMPP. CMPP plays no role in ICE ERO’s decision to release an individual from its custody. Instead, ICE ERO detains, releases, and supervises individuals pursuant to its authority found in the Immigration and Nationality Act (“INA”) and applicable regulations. *See, e.g.*, INA §§ 212(d)(5), 235(b), 236(a), 236(c), 241(a), 8 C.F.R. §§ 212.5(b)(5), 236.1(c), 241(a)(3)(D).

Executed on this 3rd day of May 2023

A handwritten signature in black ink, appearing to read "Sean C. Dandridge", is written over a horizontal line.

Sean C. Dandridge
Acting Deputy Assistant Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
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Department of Homeland Security